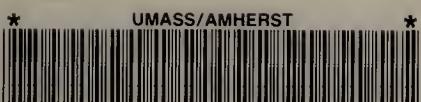


MASS. CD1.2: E019/3



312066 0270 7616 4

EOCD SECTION 8 INSPECTION REQUIREMENTS
SUPPLEMENTAL TO HUD'S HOUSING QUALITY STANDARDS
FOR THE CERTIFICATE, VOUCHER
AND MODERATE REHABILITATION PROGRAM COMPONENTS

GOVERNMENT DOCUMENTS
COLLECTION
FEB C. 1994
University of Massachusetts
Depository Copy

Published by the Office of the Secretary of State,
Michael J. Connolly, Secretary

Revised January 1993

#91

\$4.35

934/182

INDEX

	Page
1. Living Room	2
1.1 LIVING ROOM PRESENT	
1.1.1 SPACE AND USE	
1.1.1a Ceiling Height	
1.1.1b Below Grade Space	
1.5 WINDOW CONDITION	
1.5.1 Natural Light Requirement	
1.5.2 Screens	
2. Kitchen	3
2.1 KITCHEN PRESENT	
2.1.1 SPACE AND USE	
2.1.1a Ceiling Height	
2.1.1b Below Grade Space	
2.2 KITCHEN PRESENT	
2.2.1 SPACE AND USE	
2.2.1a Ceiling Height	
2.2.1b Below Grade Space	
2.2 ELECTRICITY	
2.5 WINDOW CONDITION	
2.5.2 Screens	
2.8 FLOOR CONDITION	
2.12 SPACE FOR STORAGE AND PREPARATION OF FOOD	
2.13 VENTILATION	
2.14 OPTIONAL EQUIPMENT	
3. Bathroom	5
3.1 BATHROOM PRESENT	
3.1.1 SPACE AND USE	
3.1.1a Ceiling Height	
3.1.1b Below Grade Space	
3.7 WALL CONDITION	
3.8 FLOOR CONDITION	
3.12 VENTILATION	

4.	Other Rooms Used For Living and Halls	6
4.1.1	ROOM CODE AND ROOM LOCATION - SPACE AND USE Additional Bathroom - Room Code 5	
4.1.1a	Ceiling Height	
4.1.1b	Below Grade Space	
4.1.1c	Square Footage	
4.4	SECURITY	
4.4.1	Bedroom Door Locks	
4.5	WINDOW CONDITION	
4.5.1	Natural Light Requirement	
4.5.2	Screens	
5.	All Secondary Rooms (Not Used for Living)	8
	Garages - Room Code 6	
6.	Building Exterior	9
6.2	CONDITION OF STAIRS, RAILS AND PORCHES Foundations - Porch, Deck, Stairway	
6.4	CONDITION OF EXTERIOR SURFACES	
7.	Heating and Plumbing	10
7.1	ADEQUACY OF HEATING	
7.2	SAFETY OF HEATING EQUIPMENT	
7.2.1	Flue Damper	
7.3	VENTILATION AND ADEQUACY OF COOLING	
7.4	WATER HEATER	
7.4.1	Hot Water Temperature	
	Gas Fueled Hot Water Heaters	
7.5	APPROVAL WATER SUPPLY	
7.5.1	Water Pressure	
8.	General Health and Safety	12
8.1	ACCESS TO UNIT	
8.1.1	Security	
8.3	EVIDENCE OF INFESTATION	
8.4	GARBAGE AND DEBRIS	
8.6	INTERIOR STAIRS AND COMMON HALLS	
8.6.1	Common Area Lighting	
8.7	OTHER INTERIOR HAZARDS	
8.7.1	Any Other Optional Equipment	
8.8	ELEVATORS	
8.10	SITE AND NEIGHBORHOOD CONDITIONS	
8.11	LEAD PAINT - OWNER CERTIFICATION	
8.12	SMOKE DETECTORS	

8.13	SPACE AND USE	
8.14	ASBESTOS	
8.15	ACCESSIBILITY	
8.15.1	Repeated Tenant No Show	
8.16	FIRE HAZARDS	
8.17	BUILDING CONDITION	
8.18	CERTIFICATE OF FITNESS	
INCONCLUSIVE INSPECTIONS		19
RESPONDING TO THE PROBLEMS OF MARGINAL UNITS ON EOCD'S SECTION 8 AND STATE VOUCHER PROGRAMS		21
I. Identifying Marginal Units		
II. Suggestions for Adopting a Uniform Grading System by RAAs for Determining Unit Quality		
III. Identifying Marginal Units Due to Poor Tenant Related Management and Maintenance		
WAIVERS		25
AUDITS		26
SANCTIONS		26
TRAINING		26
ADDITIONS AND AMENDMENTS		27

1/8/93

CHAPTER 7

EOCD SECTION 8 INSPECTION REQUIREMENTS SUPPLEMENTAL TO HUD'S HOUSING QUALITY STANDARDS FOR THE CERTIFICATE, VOUCHER AND MODERATE REHABILITATION PROGRAM COMPONENTS

As described in HUD's Housing Inspection Manual, "The HUD Housing Quality Standards are a basic 'floor' or minimum standard that applies across the country to units on The Section 8 Existing Housing Program. In areas with relatively higher quality housing available, PHAs will be able to adopt a higher standard". EOCD utilizes both HUD's Housing Quality Standards as well as the following EOCD Inspection Requirements as a basis for evaluating a unit each time it is inspected.

The Commonwealth of Massachusetts has a State Sanitary and Building Code (105 CMR 400.00 - 419.00 and 780 CMR, hereinafter referred to as the Codes) which regulate all housing in the Commonwealth. In some instances the Codes supersede and are more comprehensive than HUD's Housing Quality Standards and EOCD's Inspection Requirements. State law stipulates that all property owners are expected to maintain their dwelling units in conformance with the Codes and to correct all Code violations in a timely manner. Although EOCD regional agency inspectors will not be specifically checking for violations of the State Sanitary and Building Codes (EOCD is not the appropriate enforcement agency for this responsibility), EOCD performs periodic Code trainings for its regional inspectors to supplement the training which EOCD provides on HQS and EOCD's additional standards. Known violations and continued non-conformance with the Codes will be a factor in the regional agency's determination of rent reasonableness, the provision of an annual adjustment factor at recertification time and the scheduling of more frequent reinspections, consistent with EOCD's Marginal Unit Policy.

Non-compliance with the HUD Housing Quality Standards and/or the EOCD Inspection Requirements and/or repeated and regular non-compliance in accordance with the Marginal Unit Policy is grounds for:

- not bringing a unit onto the program
- suspending subsidy
- terminating HAP contract with the owner

EOCD Inspection Requirements

In that these EOCD Inspection Requirements are supplemental to the HUD Inspection Requirements, please note that the numbering system used for the EOCD Inspection Requirements is the same as that used

in HUD's Housing Inspection Manual and the EOCD Standard Inspection Form. The EOCD Standard Inspection checklist (Attachment I) has been revised to specifically reflect many of the new inspection requirements.

1. Living Room

1.1 LIVING ROOM PRESENT

1.1.1 SPACE AND USE

1.1.1a Ceiling Height

Ceiling heights in all habitable rooms must not be hazardous for their use.

Low Ceiling Areas

Is the ceiling height of any part of any habitable room less than 5' high?

If so, such area of 5' or less ceiling height shall not be considered in computing the total floor area of either the room or the dwelling unit.

1.1.1b Below Grade Space

Is any part of the dwelling unit below the average grade of the adjoining ground?

If so, no room or area in a dwelling may be used for living if such room or area has more than half its floor to ceiling height below the average grade of the adjoining ground and such room or area is subject to chronic dampness.

1.5 WINDOW CONDITION, add the following:

Is there at least one openable window in the living room? A door with a screen present may satisfy this condition.

1.5.1 Natural Light Requirement

Does the living room have at least one window which admits light from the outdoors which is equal in area to no less than 8% of the entire floor area of the room?

1.5.2 Screens

Is there at least one screen in the living room? A screen door will meet this requirement.

Screens may be either permanently installed or expandable. The inspector shall make sure this requirement can be achieved, regardless of the time of year the inspection occurs. The inspector shall insure that screens are in the unit or otherwise available, and that the number of screens is appropriate to meet this requirement. During the time between October 31st and March 31st an extension for reinspection may continue until on or near April 1st.

2. Kitchen

2.1 KITCHEN PRESENT

2.1.1 SPACE AND USE

2.1.1a Ceiling Height

Ceiling heights in all habitable rooms must not be hazardous for their use.

Low Ceiling Areas

Is the ceiling height of any part of any habitable room less than 5' high?

If so, such area of 5' or less ceiling height shall not be considered in computing the total floor area of either the room, or the dwelling unit.

2.1.1b Below Grade Space

Is any part of the dwelling unit below the average grade of the adjoining ground?

If so, no room or area in a dwelling may be used for living if such room or area has more than half its floor to ceiling height below the average grade of the adjoining ground and such room or area is subject to chronic dampness.

2.2 ELECTRICITY, add the following:

2.2.1 Are there at least two working electrical outlets in the kitchen?

2.5 WINDOW CONDITION

2.5.2 Screens

If a window is present and openable in the kitchen is

there a screen present? A screen door will meet this requirement.

Screens may be either permanently installed or expandable. The inspector shall make sure this requirement can be achieved, regardless of the time of year the inspection occurs. The inspector shall insure that screens are in the unit or otherwise available, and that the number of screen are appropriate to meet this requirement. During the time between October 31st and March 31st an extension for reinspection may continue until on or near April 1st.

2.8

FLOOR CONDITION, add the following:

Is the floor surface covered by a smooth, non-corrosive, non-absorbent and waterproof material?

Definitions and Clarifications

Resilient sheet flooring, resilient tile and ceramic tile are acceptable materials. Flooring should be well-adhered to the substrate and all seams in sheet material should be sealed.

Wood flooring is acceptable only if it has a durable and water-resistant finish with no cracks large enough to allow the accumulation of dirt, food or the harborage of insects.

Permanently installed carpeting is acceptable only if it is verifiably installed with a solid non-absorbent backing which will prevent the passage of water and moisture to the floor material below.

2.12

SPACE FOR STORAGE AND PREPARATION OF FOOD, add the following:

Do the required storage and preparation spaces have surfaces impervious to water damage, in good condition and free from defects that make them difficult to keep clean?

2.13

VENTILATION, add the following:

Is there an openable window or working mechanical vent vented to the outdoors, shaft or crawlspace with gas-fired appliances?

Definitions and Clarifications

Products of combustion from gas-fired appliances are a

major and dangerous source of indoor air pollution. This requirement must be met regardless of room size.

2.14

OPTIONAL EQUIPMENT

Is there owner-installed optional equipment in the unit? (e.g. dishwasher, clothes washer and/or dryer, garbage disposal)

If so, the owner must maintain all such items free from leaks, obstruction or other defects.

3. Bathroom

3.1

BATHROOM PRESENT

3.1.1

SPACE AND USE

3.1.1a

Ceiling Height

Ceiling heights in all habitable rooms must not be hazardous for their use.

Low Ceiling Areas

Is the ceiling height of any part of any habitable room less than 5' high?

If so, such area of 5' or less ceiling height shall not be considered in computing the total floor area of either the room or the dwelling unit.

3.1.1b

Below Grade Space

Is any part of the dwelling unit below the average grade of the adjoining ground?

If so, no room or area in a dwelling may be used for living if such room or area has more than half its floor to ceiling height below the average grade of the adjoining ground and such room or area is subject to chronic dampness.

3.7

WALL CONDITION, add the following:

Are the walls around the tub area covered by a smooth, non-corrosive, non-absorbent and water proof material up to a height of 48"? Where there is an installed showerhead or shower compartment, are the walls covered up to height of 6'? A circular shower curtain rod which encloses the tub is acceptable.

3.8

FLOOR CONDITION, add the following:

Is the floor surface of every room containing a toilet, shower or bathtub covered by a smooth, non-corrosive, non-absorbent and waterproof material?

Definitions and Clarifications

Resilient sheet flooring, resilient tile and ceramic tile are acceptable materials. Flooring should be well-adhered to the substrate and all seams in sheet material should be sealed.

Wood flooring is acceptable only if it has a durable and water resistant finish with no cracks large enough to allow the accumulation of dirt, food or the harborage of insects.

Permanently installed carpeting is acceptable only if it is verifiably installed with a solid non-absorbent backing which will prevent the passage of water and moisture to the floor material below.

3.12

VENTILATION, add the following:

Dampness

Does the bathroom have chronic dampness as evidenced by regular and/or periodic appearance of moisture, water, mold, mildew or fungi?

Definitions and Clarifications

If plumbing and ventilation are in good repair and properly used, there should not be chronic dampness. If chronic dampness, mold, mildew, or fungi is present, it may require special cleaning and treatment with mildewcide and paint or replacement.

4. Other Rooms Used For Living and Halls

4.1.1

ROOM CODE AND ROOM LOCATION - SPACE AND USE

Additional Bathroom - Room Code 5

Any additional bathroom(s) or bathroom facilities must meet all HQS and EOCD Inspection Requirements for the bathroom.

4.1.1a

Ceiling Height

Ceiling heights in all habitable rooms must not be

hazardous for their use.

Low Ceiling Areas

Is the ceiling height of any part of any habitable room less than 5' high?

If so, such area of 5' or less ceiling height shall not be considered in computing the total floor area of either the room or the dwelling unit.

4.1.1b Below Grade Space

Is any part of the dwelling unit below the average grade of the adjoining ground?

If so, no room or area in a dwelling may be used for living if such room or area has more than half its floor to ceiling height below the average grade of the adjoining ground and such room or area is subject to chronic dampness.

4.1.1c Square Footage

For every room used for sleeping, does the room contain at least 70 sq. feet for one occupant, at least 50 sq. feet per person if two occupants?

If there are more than two persons per sleeping area, agency staff must obtain Program Director permission to exceed unit size criteria established in the agency's Administrative Plan.

4.4 SECURITY, add the following:

Bedroom Door Locks

Are there locks on any bedroom door that cannot be unlocked from both sides of the door?

Purpose

Locks such as deadbolts, slide bolts, chain locks and padlocks are not allowed on bedroom doors (on either the inside or the outside) due to the fire and safety hazard they create for the occupant of the bedroom. Every locking device on a bedroom door must allow emergency access through the door by unlocking the lock from either side of the door.

4.5

WINDOW CONDITION

Do all bedrooms or any other rooms used for sleeping have at least one openable window?

4.5.1

Natural Light Requirement

Do all bedrooms or any other rooms used for sleeping have at least one window which admits light from the outdoors which is equal to no less than 8% of the entire floor area of that room?

Acceptable under certain conditions are windows in rooms used for sleeping which open onto common areas rather than to the outside. These are acceptable provided the windows allow adequate natural light to permit normal indoor activities. For example: a bedroom window which faces onto a common area with a large vaulted glass ceiling, or which faces onto an enclosed sunporch may pass. The emphasis of this requirement is to provide adequate natural light in the bedroom.

4.5.2

Screens

Is there at least one screen per bedroom or any other rooms used for sleeping? A screen door will meet this requirement.

Screens may be either permanently installed or expandable. The inspector shall make sure this requirement can be achieved, regardless of the time of year the inspection occurs. The inspector shall insure that screens are in the unit or otherwise available, and that the number of screens is appropriate to meet this requirement. During the time between October 31st and March 31st an extension for reinspection may continue until on or near April 1st.

5.

All Secondary Rooms (Not Used for Living)

Garages - Room Code 6

If the garage is in the basement level, is it ventilated by an openable window or mechanical vent vented to the outdoors or shaft?

Is the door between the garage and the unit solid core wood or metal? A "panelled style" door is not acceptable.

A door from a garage cannot enter directly into a sleeping room.

6. Building Exterior

6.2 CONDITION OF STAIRS, RAILS, AND PORCHES, add the following:

Protective Railings

Is there a wall or protective railing at least 36" high around every porch, balcony, loft or roof intended for use by the occupant?

A railing or other protective structure shall be required when retaining walls with a difference in grade level in excess of 4 feet are located closer than 2 feet to a walk, path, parking lot or driveway. (See Attachment IV.)

The top step or landing shall be counted as a step when determining if a handrail is required. Counting 4 or more risers will assure this requirement is always met. (See Attachment V.)

Foundations - Porch, Deck, Stairway

Does every porch or exterior stair have an adequate foundation? Are porches, decks and stairways structurally sound?

Definitions and Clarifications

A concrete foundation will usually be visible above grade. There should be connecting hardware between the supporting wood member and the foundation. This may be angle iron or metal brackets bolted from the bottom of the wood support to the foundation.

Wood post sitting on pavement, concrete block, ground or asphalt without a foundation is not acceptable. (See Attachment III.)

The following Building Code guidelines shall be observed in determination of the structural soundness of all porches, decks and stairways.

- Generally, joist spacings for porches and decks should be 12-24 inches.
- All porches, decks, stairs and railings should be adequate to support a 200 lb. load; consider the ability to support a refrigerator.
- 8 1/4" is the maximum riser height, with no more than 1/4" difference between each riser. Further, 9" is the minimum tread width. Stairways which do

- not conform with these requirements will present a tripping hazard.
- No more than 15 treads between landings on a stairway are generally acceptable for adequate structural support and fire exit safety.
- Support stringers must be adequate to support stair treads. Generally, 2" x 12" stringers are acceptable.

Balusters on Decks, Porches and Lofts, and Decks, over 30" from the Ground

Do all decks, porches and lofts have balusters spaced at 6" intervals (that is, so a six-inch sphere cannot pass through the opening) in all units with children under six?

6.4

CONDITION OF EXTERIOR SURFACES

Seasonal Repairs

Definitions and Clarifications

Is there a seasonal consideration which makes treatment of exterior chipping and peeling paint difficult to implement?

During winter months HUD Regulations require that exterior chipping and peeling paint be treated whenever there is a child under 7 residing in the unit, regardless of the time of the year. However, EOCD acknowledges that this requirement can be difficult to implement. For example, the owner of the property does not want to treat the paint until spring (to preserve the exterior wood), and the children who occupy the unit are infants, and could not possibly crawl or walk outside during the winter months (this does not mean toddlers). In an instance such as this, where strict implementation would cause a household to lose an otherwise decent, safe and sanitary unit, EOCD strongly encourages administering agency staff to exercise good judgement and to weigh the interests of the household against the seasonal requirement. This exception does not apply if the paint is lead.

7. Heating and Plumbing

7.1 ADEQUACY OF HEATING

Unit Temperature Requirement

Is the air temperature in the unit higher than 64 degrees F. and lower than 78 degrees F from September 15th to

June 15th inclusive?

In cases of tenant complaint it may be necessary to check actual room temperature. Room temperature can be read at a height of 5' above floor level on a wall any point more than 5' from an exterior wall.

7.2

SAFETY OF HEATING EQUIPMENT

Prohibited and Unsafe Heating Equipment and Conditions

Is the unit free from prohibited and unsafe heating equipment? If a vented gas space-heater is present in the unit, is it located in a habitable room other than a room used for sleeping?

The following types of heaters are considered unsafe:

- all unvented heaters
- all portable space heaters
- parlor heaters
- cabinet heaters
- any room heater where the fuel tank is located less than 42" from the burner
- floor furnaces

Also considered unsafe:

- kerosene
- range oil
- #1 fuel oil
- any portable wick-type heater

Gas space heaters are never allowed in rooms used for sleeping.

Certification

All heating systems and/or heating appliances must be certified to be in safe operating condition by a licensed Heating/Plumbing Contractor, the local Utility Company or the local Plumbing Inspector. The Inconclusive Checklist (Attachment VIII) shall be used to assure follow-up.

Units currently under lease will initiate this requirement effective with July 1, 1993 recertifications. The documentation must be maintained in each tenant file.

7.2.1

Flue Damper

If a barometric flue damper is present, is it located correctly?

An incorrectly located flue damper may allow escape of hazardous fumes or inefficient heater operation. (See Attachment VI)

7.3 VENTILATION AND ADEQUACY OF COOLING, add the following:

Dampness

Does any habitable room have chronic dampness as evidenced by regular and/or periodic appearance of moisture, mold, mildew or fungi?

Definitions and Clarifications

If plumbing and ventilation are in good repair and properly used, there should not be chronic dampness. If chronic dampness, mold, mildew or fungi, it may require special cleaning and treatment with mildewcide and paint or replacement.

7.4 WATER HEATER, add the following:

7.4.1 Hot Water Temperature

Is the hot water supplied to all faucets at between 110 degrees F. and 130 degrees F.?

Definitions and Clarifications

If water is too hot or too cold, check proper operation of hot water heater and general condition of hot water heater and its piping. In cases of tenant complaint it may be necessary to check actual water temperature.

Gas Fueled Hot Water Heaters

No gas-fueled hot water heater may be located in a room used for sleeping or a bathroom.

7.5 APPROVABLE WATER SUPPLY, add the following:

7.5.1 Water Pressure

Is the water supplied to all faucets at a pressure sufficient to meet the ordinary needs of the occupants?

8. General Health and Safety

8.1 ACCESS TO UNIT

8.1.1 Security add the following:

Every entry door into a dwelling, including front, side and back doors shall be fitted with a properly working, keyed lockset, which will allow securing the door from the outside as well as from inside the unit.

A chain lock or a simple bolt or slide lock is not adequate as the only lock for any unit entry doors.

Replacing a loose or ill-fitting lock or striker plate may require providing new, solid, wood blocking at the door frame or at the door itself in order to install the lockset securely.

8.3 EVIDENCE OF INFESTATION, add the following:

If infestation is chronic, owner must provide documentation to verify professional extermination.

8.4 GARBAGE AND DEBRIS

The owner is ultimately responsible for the final collection, disposal or incineration of all garbage and debris.

The owner is required to provide trash receptacles (barrels or bins with tight fitting covers, dumpsters, etc.) adequate in capacity and safety to temporarily contain the trash for all units between periodic contracted or municipal pick-ups.

The owner must make every attempt to locate receptacles so that no objectional odors enter the dwelling unit.

The occupant is responsible for placing garbage and debris in designated receptacles or other point of collection. The occupant's failure to do so will constitute a fail rating.

The occupant is responsible to maintain the unit free of garbage, debris, filth or cause of sickness. The occupant's failure to do so will constitute a fail rating.

8.6 INTERIOR STAIRS AND COMMON HALLS, add the following:

8.6.1 Common Area Lighting

Are there operating light bulbs in all required light fixtures in all common areas of the building?

8.7 OTHER INTERIOR HAZARDS, add the following:

8.7.1

Any Other Optional Equipment

Is there owner-installed optional equipment, including, but not limited to, dishwasher, clothes washer and/or dryer, garbage disposal?

If so, the owner must maintain all such items free from leaks, obstruction or other defects.

8.8

ELEVATORS

Each agency must adopt a follow-up procedure which ensures that all elevators receive a current inspection certificate prior to the next annual inspection. Subsequently, upon the next annual inspection, if the elevator has not been inspected in accordance with local requirements, the unit must receive a fail rating. Documentation from a qualified elevator maintenance company may also meet this requirement. Compliance with this requirement will result in full compliance by January 1, 1994.

8.10

SITE AND NEIGHBORHOOD CONDITIONS, add the following:

If excessive (more than can be "cleaned by one person in an hour" p. 128 HQS manual) garbage, trash, debris, or other obvious hazard is located on adjacent property or a common area (not owned by the Section 8 owner) that provides access to the property being inspected the inspector must "fail" the unit only if there are children under 6, handicapped/disabled or elderly family members residing at such unit.

Owners shall be notified of the following remedies for a fail under those conditions:

- a) the owner may make the area clean, or
- b) construct a fence that will separate the property in question, and
- c) notify the local Department of Public Health of such problem. The contact must be documented in writing to the agency.
- d) provide the agency with copies of letters which demonstrate the attempt to contact the owner of the adjacent lot or property containing the excessive garbage, debris or other obvious hazard.

8.11

LEAD PAINT, OWNER CERTIFICATION, add the following:

Chipping and Peeling Paint

Inspection Reports shall never require owners to "scrape" chipping paint, but to "treat" chipping paint.

Effective February 1, 1990, all inspections for new units (including Mod Rehab units that are released), which will be occupied by a child under six years old and built prior to 1978, must include obtaining, from the prospective rental property owner (or his/her agent), a Letter of Compliance (LOC) stating that the unit meets the requirements of the Massachusetts Lead Poisoning and Prevention Control Act, as amended. Any lead paint inspection performed between July 1, 1988 and July 1, 1990 must have been performed by an inspector registered with the Department of Public Health. Any lead paint inspection performed after July 1, 1990 must be performed by an inspector licensed by the Department of Public Health. The Section 8 inspectors at the administering agencies do not perform lead paint inspections on Section 8 units. This requirement is in addition to HUD's HQS lead paint regulations found at 24 CFR 35, 24 CFR 882.109, 882.404, and 887.251.

EOCD strongly recommends that agencies schedule inspections for those units which require a Letter of Compliance (LOC) only if the Request for Lease Approval is accompanied by a LOC. This way staff time will not be wasted inspecting a unit which might otherwise not pass full inspection, and issues of which date to begin subsidizing the unit (i.e. when unit passes the agency inspection or when the LOC is finally submitted) will not arise. The inspection cannot be passed until the LOC is obtained.

However, if the agency inspection must be performed prior to submission of the LOC, the agency may be able to start the lease as of the date the unit passes the agency inspection if the tenant was in occupancy, and the LOC is a Letter of Initial Compliance indicating that no abatement of lead-based paint was necessary.

In addition, the owner may submit a Letter of (Re)Occupancy (Re)Inspection Certification. This is not a Letter of Compliance, but rather a certification from a licensed lead paint inspector that the interior of the unit is in compliance, and that the owner has until a specified date to bring

the exterior into compliance. Under the state law, the tenant may take (or resume) occupancy of the unit when this certification has been issued. If the unit also passes the Section 8 inspection (HQS and EOCD requirements), the lease may begin. However, the owner is still required to submit a Letter of Compliance once the exterior work has been completed. If the LOC is not submitted by the date indicated on the Letter of (Re)Occupancy (Re)Inspection Certification, the administering agency has grounds for suspending subsidy.

Each administering agency will decide, in conjunction with EOCD, when to institute the policy of requiring a Letter of Compliance for units already under lease with children under six and built prior to 1978. The owner will be required to produce a LOC prior to the anniversary date of the lease. Failure to do so will be grounds for suspending subsidy and/or termination of the HAP contract .

Upon notification or knowledge of an additional child under 6 to the family composition, during the interim of the lease the owner shall be given written notice giving 90 days to submit a LOC. A 30 day extension may be granted in cases where an owner demonstrates a good faith effort to comply.

Accept only original LOCs as valid documentation whenever possible. A noted copy of the original is acceptable as well as temporarily accepting a facsimile copy contingent upon viewing the original in order to expedite a new lease or to continue the HAP.

8.12

SMOKE DETECTORS

HUD's Housing Quality Standard effective October 30, 1992 requires that each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. EOCD further requires at least one battery-operated or hard-wired smoke detector be installed in common hallways. Any level is acceptable, however the top level is recommended.

If the unit is to be occupied by a hearing impaired person who requests that the owner install a smoke detector designed for the hearing impaired, it must be installed in the bedroom occupied by the hearing impaired person, adjacent to or outside the bedroom, and it must

be permanently installed.

A heat sensor or automatic fuel shut-off device may be accepted in lieu of a smoke detector in the basement. If the tenant has access to the attic a smoke detector is required in the attic.

8.13 SPACE AND USE

Overall, does the unit contain 150 sq. feet for the first occupant, and at least 100 sq. feet for each additional occupant?

8.14 ASBESTOS

Every owner shall maintain all asbestos material which is used as insulation or covering on a pipe, boiler or furnace, in good repair, and free from any defects such as holes, cracks, tears, or looseness which may allow the release of asbestos dust or which may allow the release of any powdered, crumbled or pulverized asbestos material. Whenever a unit fails for asbestos the owner must receive the Asbestos Packet (see Attachment VII).

8.15 ACCESSIBILITY

Are all areas of the building accessible to allow the agency inspector to inspect all critical areas in order to assure compliance with all HQS and EOCD Inspection Requirements?

Occasionally, certain areas of a building are not readily available for inspection by the agency inspector. Most common are locked basements and utility rooms of large buildings. While the owner is within his/her rights to deny tenants access to certain spaces, it is imperative that the agency inspector be allowed to inspect all of the building. An owner's refusal to grant entrance into spaces for the purpose of performing a thorough inspection (both initial and annual inspections) is grounds for denying or withholding subsidy to the owner.

8.15.1 Repeated Tenant "No Shows":

A different type of accessibility issue also occurs with some frequency. In this instance, the tenant is notified of the requirement to make his/her unit available for an inspection, and the tenant repeatedly fails to have someone home to allow the inspector access to the unit. The tenant's failure to allow access to the unit after

two "no-shows", where proper advance notice has been given by the agency and the tenant has failed to contact the agency if a conflict exists with the proposed schedule for the inspection, may result in the tenant's termination from the program, in accordance with the provisions of the tenant's certificate or voucher.

8.16

FIRE HAZARDS

Double Key Locks

Locks which require a key to be unlocked from inside the unit will only be permitted provided the egress requirement is otherwise met or provided the key cannot be removed from the lock. EOCD will only allow waiver of this requirement on a case by case basis.

Storage of Flammables

Items such as propane gas tanks for grills or other utilities, lawn mowers, motorcycles, snowblowers, or any other gas powered engines, gasoline and kerosene cans and containers cannot be stored inside the unit, the basement, or an interior common area.

There is no safe way for an inspector to verify that containers are "empty". Fumes can present a serious hazard. All it takes is a static spark with the duration of a thousandth of a second to contact a few molecules of a vapor/air mixture to raise the temperature above the ignition point. It must be understood that even an extremely small area and short duration of temperature contact is sufficient to ignite a flammable vapor.

The above items may be stored anywhere outside. On or under a porch and next to the building will pass as there is plenty of ventilation.

The following 2 exceptions to the outdoor only rule can be submitted for EOCD approval on a case by case basis:

- 1) If the owner can provide written approval for storage from the Local Fire Department.
- 2) If the storage area is a separate area only accessible through an exterior entrance, is enclosed with fireproof grade gypsum wall board and is ventilated.

8.17

BUILDING CONDITION

Does the building exhibit signs of water leakage, chronic dampness, deterioration, infestation or other

defects?

Definitions and Clarifications

Owner shall maintain the structure of the building including floors, ceilings, walls, doors and windows, free from holes, cracks, loose plaster or other defects which render the area difficult to keep clean, constitutes an accident or health hazard, or an insect or rodent harborage.

Water leakage, chronic dampness, mold, mildew or fungi, may require special cleaning and treatment with mildewcide and paint, as well as additional weatherization at windows and doors, or caulking and filling of gaps at walls, ceilings or floors.

8.18

CERTIFICATE OF FITNESS

Some cities and towns aggressively enforce the State Sanitary Code requiring a Certificate of Fitness for every unit before the owner can initiate a lease. However, other cities and towns, due to local budget cuts, lack of funding and staff cannot arrange regular and timely State Sanitary Code inspections for the Section 8 Program.

Prior to entering into a new lease, a copy of the Certificate of Fitness must be requested of the owner; only in cases where cities and towns will not arrange for code inspections for the Section 8 Program on a timely basis may the Agency enter into a lease without this Certificate, providing the unit passes a Program Inspection.

INCONCLUSIVE INSPECTIONS:

At times the inspector cannot conclude whether an item passes inspection, and must classify an item as Inconclusive. The unit does not pass inspection if any item is Inconclusive. In certain cases a new lease may begin provided an on-site reinspection is performed once the tenant is in occupancy. In other cases, inspections are Inconclusive - Subject to Approval by the appropriate qualified professionals. Owners are required to submit written documentation or post on-site the Inconclusive Checklist. (Attachment VIII) must be used for notification, tracking and follow-up.

VACANT: In the case where the unit is vacant or utilities are turned off, the owner shall be urged to have the utilities turned on for the purpose of inspection. In lieu of this, the owner must sign the attached Inconclusive Inspection Checklist (Attachment

VIII) attesting to the good working order of electrical and cooking facilities. Once this is signed and the unit otherwise passes inspection, the lease may begin and HAP payment can be either released or withheld. Verification by an on-site reinspection to confirm the good working order, must be performed no later than 30 days after the lease start date is required. Failure to comply will result in a notice to correct.

ADEQUACY OF HEAT: The owner must sign the attached Inconclusive Inspection Checklist (Attachment VIII) attesting to the adequacy of the heating facilities. Once this is signed and the unit otherwise passes inspection, the lease may begin and HAP payments can be released. Verification by an on-site reinspection to confirm the unit meets the temperature requirement may be performed between December 15 and June 15 or upon tenant request. Failure to correct within 24 hours of notification may result in rent suspension and/or contract termination.

TENANT SUPPLIED APPLIANCE(S): In the case of a tenant-supplied appliance, such as a refrigerator or stove, the lease may begin the date the unit otherwise passes inspection and HAP payment can be made. Verification by an on-site reinspection to confirm the presence and good working order of the appliance, must be performed no later than 30 days after the lease start date. Failure to correct within 5 days of notification may result in rent suspension and/or contract termination.

SUBJECT TO APPROVAL: An agency inspector may also fail or note an item Inconclusive subject to the inspection and approval of appropriate qualified professionals such as local Health, Building, Plumbing, Electrical or Fire Inspectors, licensed Heating/Plumbing Contractors, Local Utility Companies, licensed Lead Paint Inspectors, State Certified Elevator Inspectors or licensed Elevator Maintenance Companies, and licensed Extermination Companies. Except those listed, EOCD will not accept documentation from private contractors, professionals or agents hired by the owner. If at any time the Agency disagrees with the decision rendered by the appropriate qualified professional or believes that the condition requires further evaluation, the Agency shall notify EOCD.

- Certificate of Fitness - In accordance with Section 8.18 the Certificate of Fitness must always be requested.
- Certification Regarding the Safe Operating Condition of the Heating System and/or All Heating Appliances - In accordance with Section 7.2 all heating systems must be certified as safe. The certificate may be posted on the heating unit.
- Written Approval or a Posted Building Permit may be required in situations where systemic or structural

repairs or rehab are in process or required to pass the Section 8 inspection. Approval may also be required when systemic or structural potential hazards may exist, such as knob and tube wiring.

- A Letter of Compliance with the Massachusetts Lead Law is required in accordance with Section 8.11
- Verification which maintains validity of LOC whenever a unit fails for defective paint. A Lead Determination may be attached to update the LOC.
- An Elevator Inspection Certificate must be posted or on file.
- Certification from a licensed Elevator Maintenance Company may be required to confirm the safety of an elevator which fails inspection.
- In accordance with Section 8.3, a Receipt to verify professional extermination in cases of chronic infestation.

RESPONDING TO THE PROBLEMS OF MARGINAL UNITS ON EOCD'S SECTION 8 AND STATE VOUCHER PROGRAMS:

HUD defines marginal units to be those that are likely to fall below HQS within a year. EOCD, along with its Regional Administering Agencies, has long recognized the problem of maintaining marginal units on the Section 8 Program. Frequently, an inspector will return to a unit and note the same condition of one or more aspects of the unit that do not cause a fail condition outright, but clearly pose the likelihood of deterioration where a fail condition could easily occur prior to the next annual inspection. Often, repairs are made, but are themselves marginal. Failure to maintain compliance may be due to inadequate attention on the part of the owner or management agent, excess or undue wear and tear on the part of the tenant, and/or the impact of neighborhood conditions.

Until recently, tackling the problem of marginal units was difficult for several reasons. A tight housing market limited the number of units available to Section 8 tenants. Imposing more stringent inspectional standards would have, in many instances, resulted in tenants losing housing opportunities, thus putting them back into the homeless state they were in prior to receiving a subsidy.

The following outline will define a concrete strategy to deal with issues around marginal units and identify the specific factors that contribute to these conditions. The goal of this policy is to eliminate units which only barely meet HUD's Housing Quality

Standards and EOCD Inspection Requirements yet still remain undesirable because of how quickly they fall out of compliance.

Also included are guidelines for the adoption of a uniform grading system to assist in identifying marginal units and strategies which address tenant related maintenance issues which can affect the inspection.

I. Identifying Marginal Units

The following outlines the steps to implement the Marginal Unit Policy. This procedure will be adopted by all RAAs when the unit clearly poses the likelihood of falling out of compliance in a short period of time and/or earns a poor grade (if a grading system is adopted. See Section II).

The attached checklist "Factors Which Contribute To Marginal Unit Conditions" (see Attachment IX) identifies a combination of conditions which shall be used to identify and designate a unit as marginal. These conditions are due to poor owner management and/or maintenance which the owner is responsible to improve. Each RAA inspector has the discretion to add to the checklist whenever necessary to address specific conditions not listed. The checklist also notifies owners of the 2 additional required inspections which will be performed no more than 3 months apart. The consequences of repeated and regular non-compliance will be contract termination.

Steps to Follow

1. Annual or Audit Inspection:

- a. PASS - even though the unit passes inspection it may still be determined marginal. If so, complete and send to the owner and tenant "Factors Which Contribute to Marginal Unit Conditions" (Marginal Checklist). The tenant must be given a moving packet and counseled regarding relocation at this time. See Step 3 to proceed.
- b. FAIL - owner is given the usual 30 day opportunity to correct. The quality and extent of improvement is unknown until reinspection.

2. Annual or Audit Reinspection:

The reinspection must take place no more than 30 days after the Annual or Audit Inspection. Once the unit has passed the reinspection yet is determined to be marginal, complete and send to the owner and tenant "Factors Which Contribute to Marginal Unit Condition". The tenant must be given a moving packet and counseled regarding relocation at this time.

3. 1st Marginal Unit Inspection:

This inspection must be scheduled no more than 3 months after the Annual or Audit reinspection has passed. Use the regular Inspection Checklist along with the Marginal Checklist. Indicate on the Marginal Checklist the inspection results in the space provided at the bottom. Note any improvements under comments on the Marginal Checklist. If no change - indicate no change.

4. 1st Marginal Unit Reinspection:

The reinspection must take place no more than 30 days after the 1st Marginal Unit Inspection. Use the regular Inspection Checklist along with the Marginal Checklist. Indicate the inspection results in the space provided at the bottom. Note any improvements under comments on the Marginal Checklist. If no change - indicate no change. The RAA has the discretion to schedule the reinspection sooner; 10 or 15 days for example.

5. 2nd Marginal Unit Inspection:

This inspection must be scheduled no more than 3 months after the 1st Marginal Unit Reinspection has passed. Use the regular Inspection Checklist along with the Marginal Checklist. Indicate the inspection results in the space provided at the bottom. Note any improvements under comments on the Marginal Checklist. If no change - indicate no change.

6. Termination or Additional Optional Marginal Unit Inspections:

Finally, after the 2 additional required Marginal Unit Inspections are complete, the RAA must assure a review by a designated staff member. Any units which have been addressed using the Marginal Unit Policy must be reported on the EOCD Quarterly Management Report.

If the 2 additional inspections have FAILED with no change in marginal unit conditions and the owner has failed to respond or take action to the satisfaction of the RAA, the subsidy contract must be terminated with no follow-up reinspection.

However, if an owner can show good cause for failure to correct, termination at this time may be too extreme a result. An owner should not be unfairly penalized where violations are attributable to an abusive tenant and the owner can demonstrate efforts to work with the tenant. Units which show marked improvement, evidence of a more prompt management pattern, or where the owner submits a documented long-term improvement plan, further follow-up inspections may be allowed.

II. Suggestions for Adopting a Uniform Grading System by RAAs for Determining Unit Quality

Each RAA will have the discretion to develop its own grading system using the attached unit grading system as a guideline (Attachment X). EOCD acknowledges that grading is a subjective task thus each agency must stress consistent and objective standards which address the specific housing stock conditions in its region. EOCD recommends each agency incorporate a grading system into its administrative plan.

There are several reasons for grading units. The primary purpose will be in determination of rent reasonableness and annual rent increases. Grading also serves as a valuable internal tool to assess the overall quality of housing stock and to assist in identifying marginal units. EOCD recommends all new units coming on to the program receive a documented grade. New lease ups which do not meet A, B, or C are not acceptable for the program.

EOCD will have no reporting requirement concerning unit grades at this time. Once a uniform grading system has been adopted and implemented by a RAA, the current owners and tenants must be notified of the grading criteria and the unit grade upon inspection. New participants shall be informed at initial briefing session of the grading system. If a new unit is rejected on the basis of a D or E grade, the prospective owner shall be informed of the grade along with the grading criteria.

III. Identifying Marginal Units Due To Poor Tenant Related Management and Maintenance

While issues of owner responsibilities do contribute to the overall quality of a unit, so too can the tenant's care of the unit. It is not uncommon for a unit to become unsafe and/or fail HQS due to the tenant's excessive wear and tear on the unit. Tenant caused maintenance issues are costly both to the property owner who ultimately must correct any of the fail items found through an inspection, regardless of fault, and for the RAAs who must process damage claims. The Section 8 tenant household is also impacted because it must often move more frequently as units won't pass inspection after the household has moved in. The household may also face losing its Section 8 subsidy due to pending damage claims.

From the tenant's perspective, the lack of proper care of a unit may be attributed to many factors: lack of knowledge of his/her responsibilities and those of the owner, limited experience in caring for him/herself and property, personal/medical problems

(e.g. substance addiction, mental health concerns), and in some instances, cultural and ethnic characteristics that are reflected in a tenant's general lifestyle.

EOCD feels it is important to address tenant maintenance issues both to ensure that units on the Section 8 Program continue to meet an acceptable standard of quality and to ensure the stability of our tenants. To this end, unit inspections may include the following procedure:

The attached "Tenant Related Factors Which Contribute to Marginal Maintenance and Safety Concerns" (Attachment XI) checklist may be adopted by RAAs. Each agency has the discretion to add to the checklist when necessary to address specific housing conditions. At initial briefings all families should be provided with a copy of the attached checklist and informed of their lease obligation to maintain the unit in safe and sanitary condition. Tenants should be reminded that their failure to do so could result in eviction by the owner.

Once a tenant is identified as responsible for a maintenance or safety related concern, the tenant shall be notified with a copy of the checklist which also indicates that the unit may be subject to additional inspections. Either the inspector, at the time of inspection, or the program representative, by appointment, will identify and discuss the specific housing conditions noted and their impact on the inspection. The RAA has the responsibility to inform the tenant why the item needs to be corrected and whenever possible to provide assistance in directing the household to possible resources such as tenant advocacy groups, services provided by DSS, DPW, DPH or other state agencies. The household will also be advised of the consequences of damage claims and/or eviction.

The owner shall also be notified with a copy of the checklist and a written notice (see Attachment XII). Owners are encouraged to conduct their own additional inspections to aid in the prevention of costly repairs and to take a proactive role in making sure tenants are not abusing the property or endangering other tenants. Owners must also be reminded of their ultimate responsibility to correct all fail items found upon inspection regardless of cause.

WAIVERS:

EOCD cannot waive any HUD Housing Quality Standard requirement. However, EOCD will review any request for such waiver and when appropriate, EOCD will seek HUD permission to waive certain requirements, in order to facilitate a lease-up that would in no way compromise the health or safety of the occupants. These waiver requests must come through EOCD.

EOCD can waive its own EOCD Inspection Requirements. Waiver requests should be forwarded to EOCD's Housing Inspection Supervisor. As a general rule, EOCD will not readily provide waivers to its inspection requirements, unless a compelling case can be argued in favor of granting such a waiver.

AUDITS:

Both EOCD's Section 8 Program and each Regional Administering Agency are required to perform ongoing audits of a percentage of all units recently brought onto the program or recently reinspected, in each of the Section 8 program components. Along with individual unit audit inspections EOCD recommends regular "windshield tours" whereby individual unit selections can be made based on a preliminary viewing of building exterior, common areas and neighborhood conditions. EOCD fixes the number of internal unit audits which each of its regional agencies must perform on a quarterly basis, based on the previous year's performance. The administering agency must report its results on the EOCD Quarterly Management Report.

EOCD's inspection component audits approximately 120 units each fiscal quarter, selecting units from all agencies and from each program component. The results are used to determine which agencies need additional training, and, when necessary, which agencies must be sanctioned for failure to improve in this area of program operation.

SANCTIONS:

HUD reserves the right to impose administrative fee sanctions on any agency which receives a greater than 20% unit audit failure rate on HUD's own audits. If any EOCD administering agency is sanctioned by HUD, EOCD will withhold the designated amount of money from the agency, and will use the money to satisfy the HUD sanction. EOCD also reserves the right to impose administrative fee sanctions on any of its administering agencies which maintain consistently poor EOCD unit audit results (that is greater than 25% unit audit failure) or consistently fails to respond to EOCD audit findings in a timely manner. EOCD will provide prior notice to any agency being considered for EOCD-imposed sanctions, and will provide a prescribed period of time in which the agency can demonstrate improved performance.

TRAINING:

The Inspection Supervisor is required to perform at least three training programs for all administering agency inspectors on an annual basis. These sessions will focus on those areas which the Inspection Supervisor's audit results indicate additional follow-up is required as well as provide more advanced inspection training in significant areas of housing quality standards.

Additionally, the Inspection Supervisor frequently requests that the administering agency inspector who performed the original (re)inspection of the audited units accompany the Inspection Supervisor during the audit, in order to use the time to do one-on-one training, to answer questions, and discuss issues. Periodically, EOCD invites HUD staff to participate in training sessions, to provide staff with a HUD perspective and methodology employed by HUD staff when auditing any PHA's units.

The Inspection Supervisor will also try to be available to train new inspection staff as they come on board at the administering agencies. However, if the Inspection Supervisor is not available, new inspection staff must have received training from their supervisor before they may do inspections on their own.

ADDITIONS AND AMENDMENTS

Additional EOCD Inspection Requirements, HUD's Housing Quality Standards, and amendments to this plan may be added from time to time. Further, modifications to existing EOCD Housing Quality Requirements may be made from time to time. Any additional unusual circumstances should be referred to EOCD in order that EOCD and the administering agency can together make the most reasonable determination on how to resolve such matters.

EOCDSECT.ME2

ATTACHMENTS

New Inspection Checklist (7-2)	I
Inspection Checklist Addendum (7-2)	II
Proper Porch Foundations (6.2)	III
Areaway or Window Well (6.2)	IV
Handrails (6.2)	V
Locations for Barometric Draft Regulation (7.2.1)	VI
Asbestos Packet (8.14)	VII
Inconclusive Inspection Checklist (7-19)	VIII
Factors Which Contribute to Marginal Unit Conditions (7-21)	IX
Unit Grading Criteria (7-22)	X
Tenant Related Factors Which Contribute to Marginal Maintenance and Safety Concerns (7-23)	XI
Draft Letters for Tenant Related Factors...(7-24)	XII

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT			SECTION 8 PROGRAM			INSPECTION CHECKLIST				
Name of Family			Phone No.			Tenant I.D. No.				
Inspector						Date of Inspection				
Type of Inspection <input type="checkbox"/> Initial <input type="checkbox"/> Special <input type="checkbox"/> Reinspection / Date of Last Inspection:			Last Inspector:							
A - GENERAL INFORMATION			Unit Grade:							
Street			City		County		State	Zip		
Name of Owner or Agent			Phone No.		Family Composition		Housing Type			
					# Male	# Female	<input type="checkbox"/> Manufactured Home <input type="checkbox"/> Single Family Detached <input type="checkbox"/> Duplex or Two Family <input type="checkbox"/> 3 Family House <input type="checkbox"/> Row House or Town House <input type="checkbox"/> Low Rise: 3 or 4 stories including Garden Apartment <input type="checkbox"/> Congregate <input type="checkbox"/> Cooperative <input type="checkbox"/> Independent Group Residence <input type="checkbox"/> Other			
Address of Owner or Agent:					Adults					
					Minors					
					Under 6					
					Under 7					
B- SUMMARY DECISION OF UNIT (To be completed after form has been filled out)										
<input type="checkbox"/> PASS <input type="checkbox"/> FAIL <input type="checkbox"/> INCONCLUSIVE*			No. of rooms used for sleeping (or could be used if unit is vacant)							
Date of Next Scheduled Inspection										
			Mo.	Yr.						
*See attached Inconclusive Inspection Checklist										
INSPECTION CHECKLIST										
Item No.	1. LIVING ROOM	Yes Pass	No Fail	In- Conc.	Comment				Final Approv. Initial/Date	
1.1	Living Room Present									
1.1.1	Space and Use									
1.2	Electricity									
1.3	Electrical Hazards									
1.4	Security									
1.5	Window Condition									
1.5.1	Natural Light Requirement									
1.5.2	Screen									
1.6	Ceiling Condition									
1.7	Wall Condition									
1.8	Floor Condition									
Item No.	2. KITCHEN	Yes Pass	No Fail	In- Conc.	Comment				Final Approv. Initial/Date	
2.1	Kitchen Area Present									
2.1.1	Space and Use									
2.2	Electricity									
2.3	Electrical Hazards									
2.4	Security									
2.5	Window Condition									
2.5.2	Screen									
2.6	Ceiling Condition									
2.7	Wall Condition									
2.8	Floor Condition									
2.9	Stove or Range with Oven									
2.10	Refrigerator									
2.11	Sink									
2.12	Space for Storage and Preparation of Food									
2.13	Ventilation									
2.14	Optional Equipment									
Item No.	3. BATHROOM	Yes Pass	No Fail	In- Conc.	Comment				Final Approv. Initial/Date	
3.1	Bathroom Present									
3.1.1	Space and Use									
3.2	Electricity									
3.3	Electrical Hazards									
3.4	Security									
3.5	Window Condition									
3.5.2	Screen									
3.6	Ceiling Condition									
3.7	Wall Condition									
3.8	Floor Condition									
3.9	Flush Toilet in Enclosed Room in Unit									
3.10	Fixed Wash Basin or Lavatory in Unit									
3.11	Tub or Shower in Unit									
3.12	Ventilation									

Item No.	4. OTHER ROOMS USED FOR LIVING & BALLS	Yes Pass	No Fail	In- Conc.	Comment	Final Approv. Initial/Date
A4.1	Room Code and Room Location []	(Circle One) Right/Center/Left	(Circle One) Front/Center/Rear	Floor Level []		
A4.1.1	Space and Use					
A4.2	Electricity/Illumination					
A4.3	Electrical Hazards					
A4.4	Security					
A4.5	Window Condition					
A4.5.1	Natural Light Requirement					
A4.5.2	Screen					
A4.6	Ceiling Condition					
A4.7	Wall Condition					
A4.8	Floor Condition					
B4.1	Room Code and Room Location []	(Circle One) Right/Center/Left	(Circle One) Front/Center/Rear	Floor Level []		
B4.1.1	Space and Use					
B4.2	Electricity/Illumination					
B4.3	Electrical Hazards					
B4.4	Security					
B4.5	Window Condition					
B4.5.1	Natural Light Requirement					
B4.5.2	Screen					
B4.6	Ceiling Condition					
B4.7	Wall Condition					
B4.8	Floor Condition					
C4.1	Room Code and Room Location []	(Circle One) Right/Center/Left	(Circle One) Front/Center/Rear	Floor Level []		
C4.1.1	Space and Use					
C4.2	Electricity/Illumination					
C4.3	Electrical Hazards					
C4.4	Security					
C4.5	Window Condition					
C4.5.1	Natural Light Requirement					
C4.5.2	Screen					
C4.6	Ceiling Condition					
C4.7	Wall Condition					
C4.8	Floor Condition					
D4.1	Room Code and Room Location []	(Circle One) Right/Center/Left	(Circle One) Front/Center/Rear	Floor Level []		
D4.1.1	Space and Use					
D4.2	Electricity/Illumination					
D4.3	Electrical Hazards					
D4.4	Security					
D4.5	Window Condition					
D4.5.1	Natural Light Requirement					
D4.5.2	Screen					
D4.6	Ceiling Condition					
D4.7	Wall Condition					
D4.8	Floor Condition					

Room Codes 1= Bedroom or any other room used for sleeping (regardless of type of room) 2= Dining Room, or Dining Area
 3= Second Living Room, Family Room, Den, Playroom, TV Room 4= Entrance Halls, Corridors, Halls, Staircases
 5= Additional Bathroom 6= Other

Item No.	5. ALL SECONDARY ROOMS (Not Used for Living)	Yes Pass	No Fail	In- Conc.	Comment	Final Approv. Initial/Date
5.1	Room Code and Room Location []					
5.2	Security *					
5.3	Electrical Hazards					
5.4	Other Potentially Hazardous Features					
Item No.	6. BUILDING EXTERIOR	Yes Pass	No Fail	In- Conc.		
6.1	Condition of Foundation					
6.2	Condition of Stairs/ Rails/Porches/Balusters					
6.3	Condition of Roof and Gutters					
6.4	Condition of Exterior Surfaces					
6.5	Condition of Chimney					
6.6	Manufactured Homes: Tie Downs				----- Not Applicable	
6.7	Manufactured Homes: Smoke Detectors				----- Not Applicable	
Item No.	7. HEATING & PLUMBING	Yes Pass	No Fail	In- Conc.	Comment	Final Approv. Initial/Date
7.1	Type of Heat Facilities					
7.1.1	Adequacy of Heating Equipment					
7.2	Safety of Heating Equipment					
7.2.1	Flue Damer				----- Not Applicable	

7.3	Ventilation/Cooling						
7.4	Water Heater						
7.4.1	Hot Water Temperature						
7.5	Approvable Water Supply						
7.5.1	Water Pressure						
7.6	Plumbing						
7.7	Sewer Connection						
Item No.	8. GENERAL HEALTH And SAFETY	Yes Pass	No Fail	In-Conc.	Comment		Final Approv. Initial/Date
8.1	Access to Unit						
8.1.1	Entry Door Security						
8.2	Fire Exits						
8.3	Evidence of Infestation						
8.4	Garbage and Debris						
8.5	Refuse Disposal						
8.6	Interior Stairs and Common Halls						
8.6.1	Common Area Lighting						
8.7	Other Interior Hazards						
8.7.1	Any Other Optional Equipment						
8.8	Elevators				--- Not Applicable		
8.9	Interior Air Quality						
8.10	Site and Neighborhood Conditions						
8.11	Letter of Compliance w/Mass. Lead Law				--- Not Applicable		
8.12	Smoke Detectors						
8.13	Overall Space and Use						
8.14	Asbestos Material						
8.15	Accessibility						
8.15.1	Tenant 'No Show'						
8.16	Fire Hazards						
8.17	Building Condition						
8.18	Certificate of Fitness				--- Not Applicable		

*This inspection has been performed to determine compliance under the HUD/EOCD Section 8 Program. While some of the inspection requirements may be similar or identical to provisions of the local codes this inspection does not certify compliance with said codes. In all instances it is the owner's responsibility to maintain property to meet all applicable state and local codes and a tenant's right to request an inspection by the local code enforcement agency."

Owner/Agent Signature

Date

Tenant/Agent Signature

Date

Inspector Signature

Date

Check if not present

EOCD INSPECTION REQUIREMENTS CHECKLIST ADDENDUM

Name of Family	Phone No.	Tenant I.D. No.		
Inspector				Date of Inspection
Unit Grade:				
Street	City	County	State	Zip
Name of Owner or Agent	Phone No.	Address of Owner or Agent:		

INSPECTION CHECKLIST

em b.	1. LIVING ROOM	Yes Pass	No Fail	In- Conc.	Comment	Final Appr Initial/Da
1.1	Space and Use					
5.1	Natural Light Requirement					
5.2	Screen					
em b.	2. KITCHEN	Yes Pass	No Fail	In- Conc.	Comment	Final Appr Initial/Da
1.1	Space and Use					
5.2	Screen					
14	Ventilation					
15	Optional Equipment					
em b.	3. BATHROOM	Yes Pass	No Fail	In- Conc.	Comment	Final Appr Initial/Da
1.1	Space and Use					
1.2	Screen					
	Additional Bathroom					
em b.	4. OTHER ROOMS USED FOR LIVING & HALLS	Yes Pass	No Fail	In- Conc.	Comment	Final Appr Initial/Da
.1.1	Space and Use					
.5.2	Screen					
.1.1	Space and Use					
.5.2	Screen					
.1.1	Space and Use					
.5.2	Screen					
.1.1	Space and Use					
.5.2	Screen					
Codes 1= Bedroom or any other room used for sleeping (Regardless of type of room) 2= Dining Room, or Dining A						
3= Second Living Room, Family Room, Den, Playroom, TV Room 4= Entrance Halls, Corridors, Halls, Staircas						
5= Additional Bathroom 6= Other						
em b.	5. ALL SECONDARY ROOMS (Not Used for Living)	Yes Pass	No Fail	In- Conc.	Comment	Final Appr Initial/Da
1	Security					
2	Electrical Hazards					
3	Other Potentially Hazardous Features					
Codes 1= Basement 2= Utility Room 3= Laundry Room 4= Attached Shed 5= Attached Closed in Porch						
6= Garage 7= Attic 8= Storage Area						
em b.	6. BUILDING EXTERIOR	Yes Pass	No Fail	In. Conc.		
	Condition of Foundation					

6.2	Condition of Stairs/ Rails/Porches/Balusters					
6.3	Condition of Roof and Gutters					
6.4	Condition of Exterior Surfaces					
6.5	Condition of Chimney					
Item No.	7. HEATING & PLUMBING	Yes Pass	No Fail	In- Conc.	Comment	Fin Init
	Type of Heat Facilities					
7.2.1	Flue Damper				--- Not Applicable	
7.5.1	Water Pressure					
Item No.	8. GENERAL HEALTH AND SAFETY	Yes Pass	No Fail	In- Conc.	Comment	Fin Init
8.1.1	Entry Door Security					
8.6.1	Common Area Lighting					
8.7.1	Any Other Optional Equipment					
8.11	Letter of Compliance w/ Mass Lead Law				--- Not Applicable	
8.13	Overall Space & Use					
8.15	Accessibility					
8.15.1	Tenant 'No Show'					
8.16	Fire Hazards					
8.17	Building Condition					
8.18	Certificate of Fitness from Local Brd. of Hlth				--- Not Applicable	

This inspection has been performed to determine compliance under the HUD/EOCD Section 8 Program. While some of the inspection requirements may be similar or identical to provisions of the local codes this inspection does not certify compliance with said codes. In all instances, it is the Owner's responsibility to maintain property to meet all applicable state and local codes and a tenant's right to request an inspection by the local code enforcement agency.

 Owner/Agent Signature

 Tenant/Agent Signature

 Inspector Signature

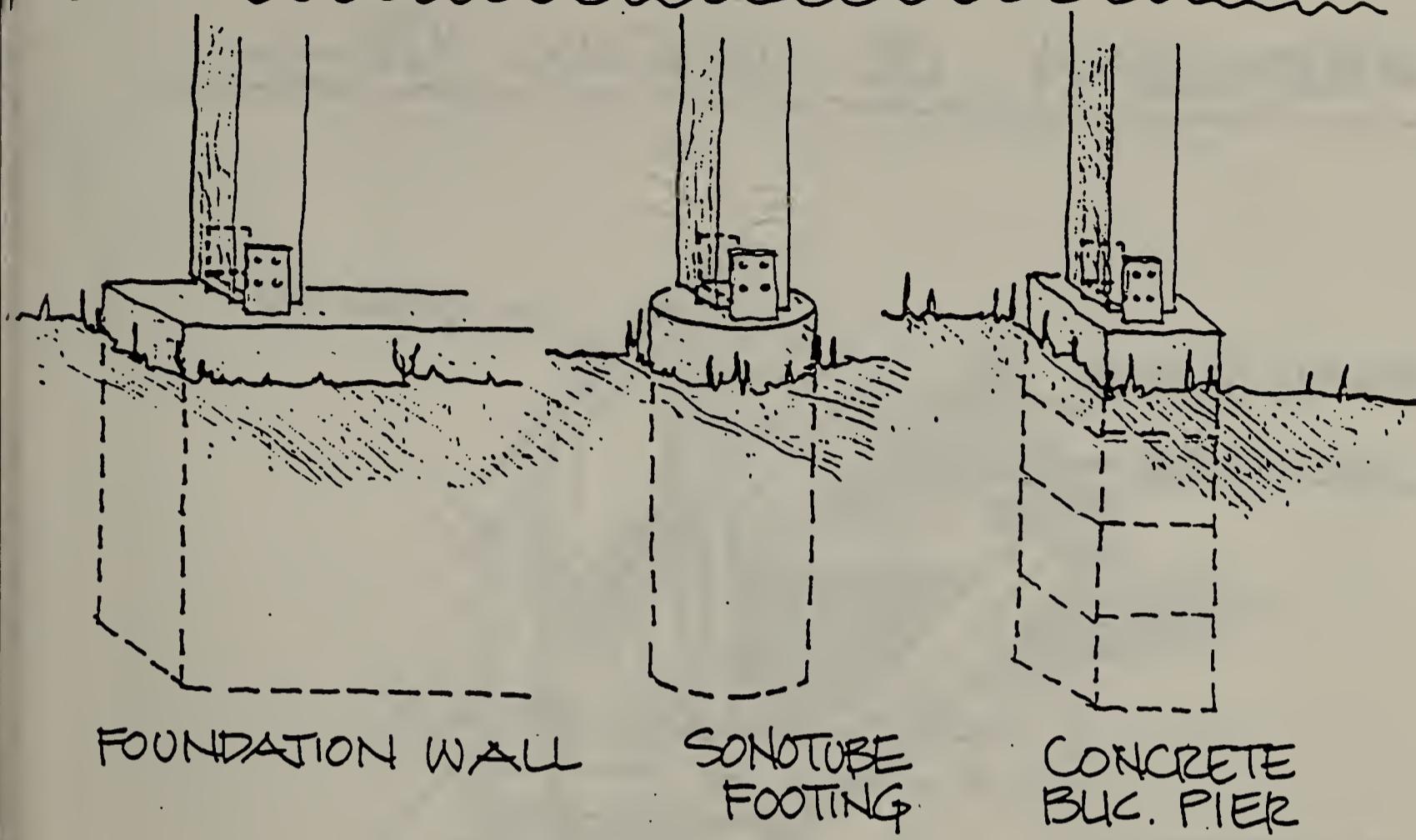
 Date

 Date

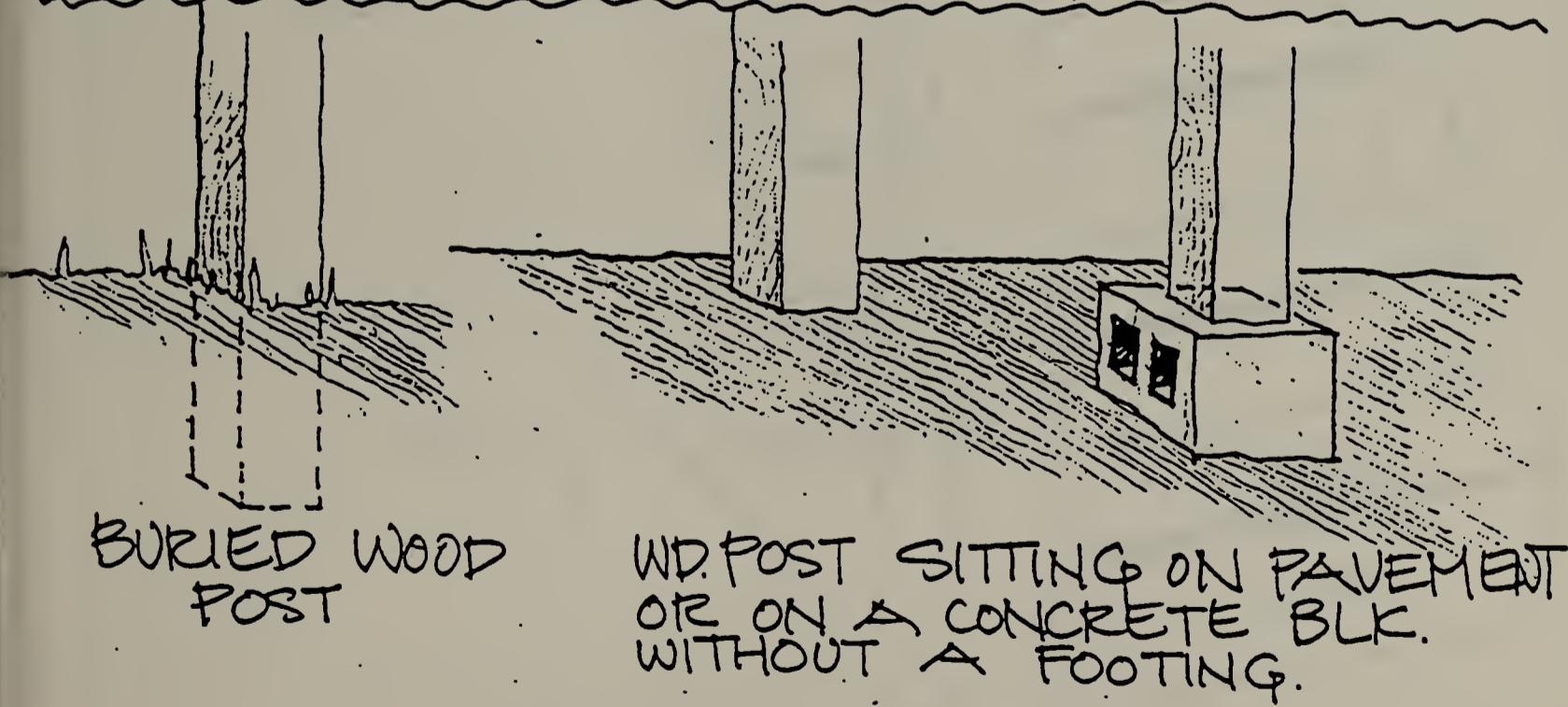
 Date

 Check if not present

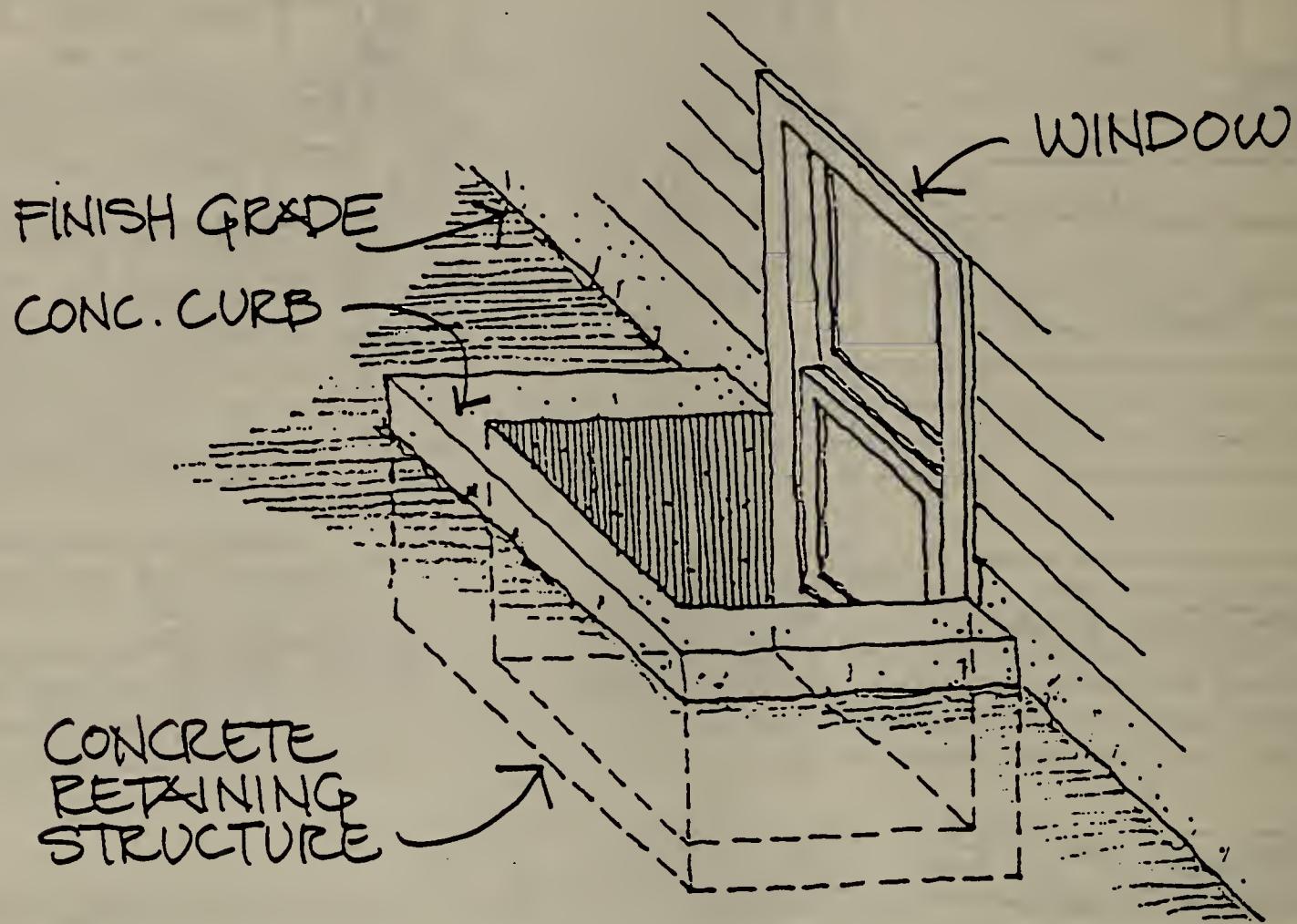
PROPER PORCH FOUNDATIONS:



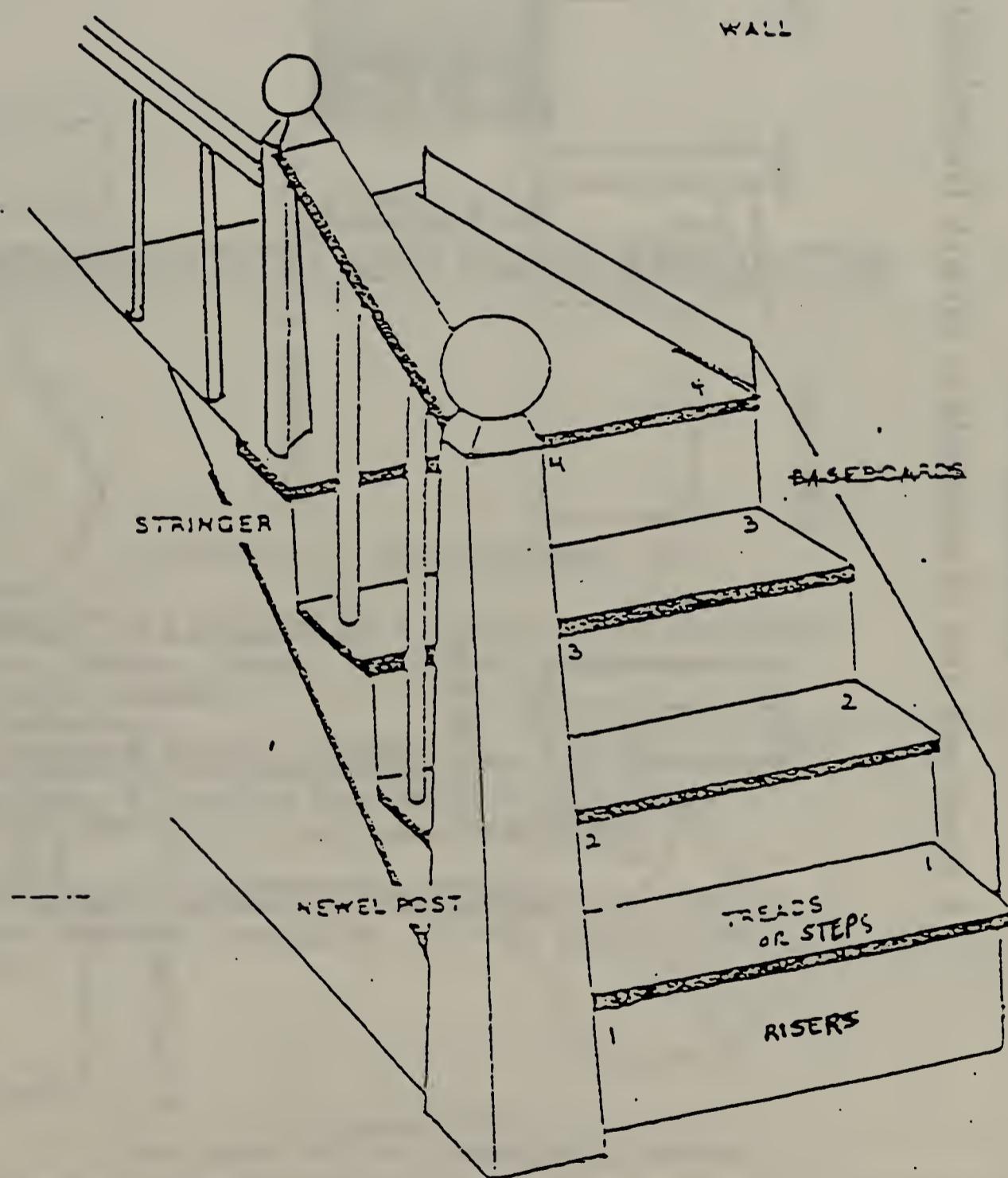
INADEQUATE SUPPORTS:



AREAWAY OR WINDOW WELL

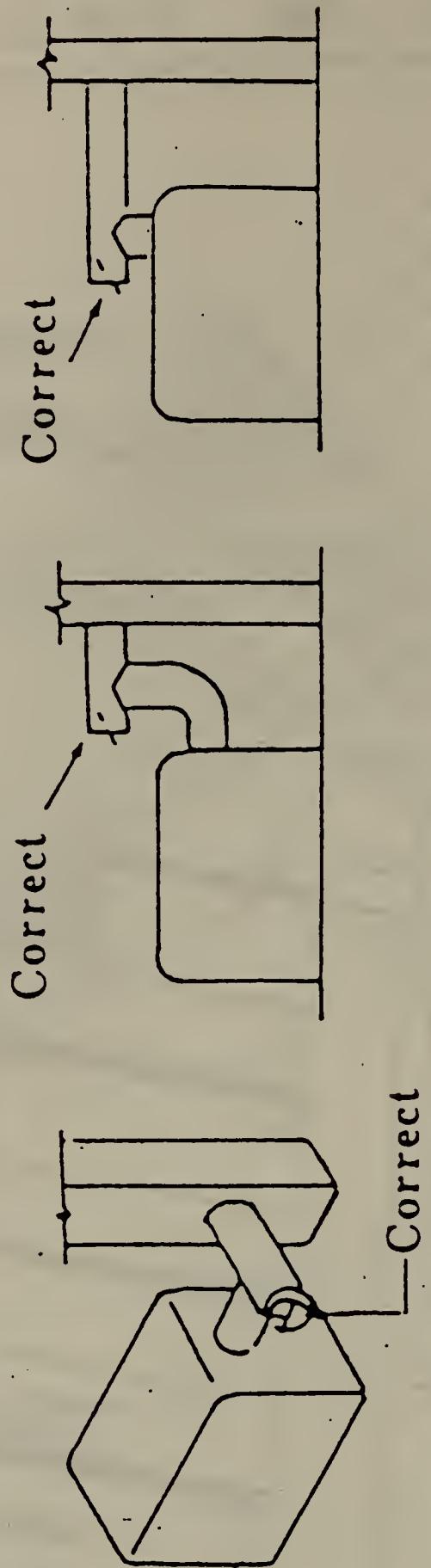


ATTACHMENT V

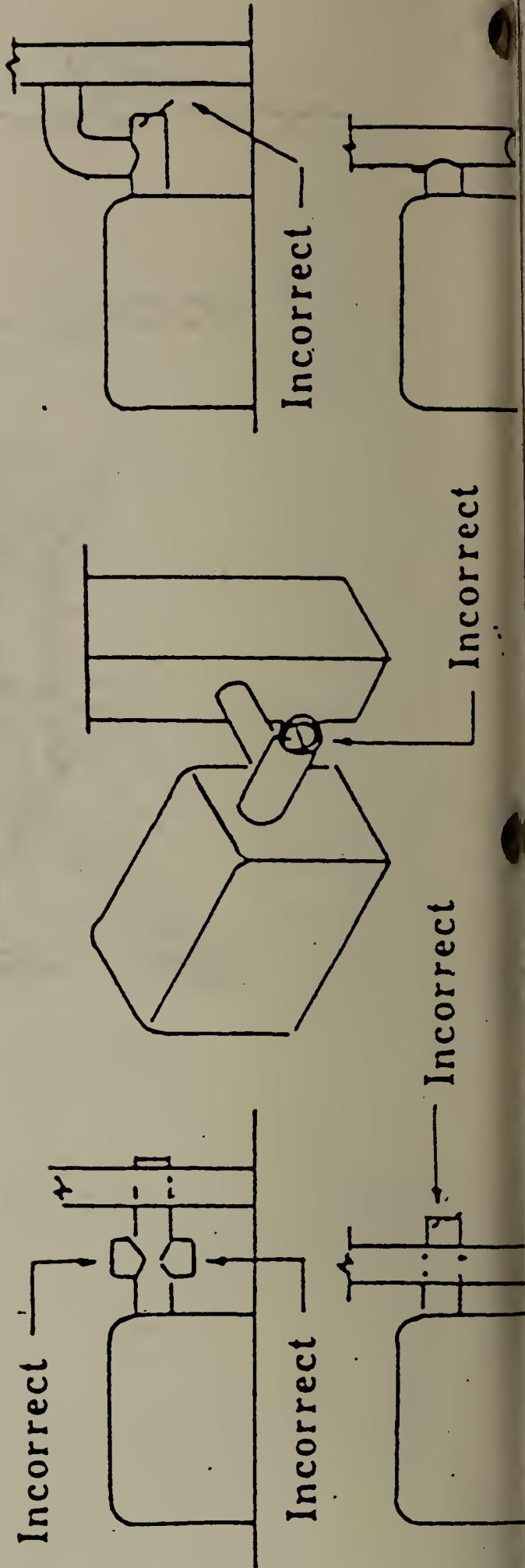


ATTACHMENT VI

Locations for Barometric Draft Regulator



Correct Locations



DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR QUALITY CONTROL



ASBESTOS
INFORMATION AND RESOURCE GUIDE

Included in this document are:

1. **ASBESTOS CONTACTS** - a list which includes Federal, State, Local, and other contacts with telephone numbers.
2. **ASBESTOS REGULATORS** - an outline of regulatory authority including the roles of the Federal, State, and Local agencies.
3. **COMMON ASBESTOS INQUIRIES** - a list of 18 common asbestos inquiries and the appropriate answers.

January 1992
This guide will be periodically updated

ASBESTOS CONTACTS

FEDERAL

ENVIRONMENTAL PROTECTION AGENCY (EPA)		
Damien Houlihan (NESHAPS).....	(617)	565-3265
James Bryson (TSCA/AHERA).....	(617)	565-3836
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)		
Regional Office - Fred Malaby.....	(617)	565-7164
Area Offices - Methuen.....	(617)	565-8110
- Braintree.....	(617)	565-6924
- Springfield.....	(413)	785-0123
CONSUMER PRODUCTS..SAFETY COMMISSION (CPSC).....	(800)	638-2772
DEPARTMENT OF TRANSPORTATION (DOT)		
- Lucy Johnson.....	(617)	494-2770

STATE

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)		
Division of Air Quality Control (DAQC)		
Boston - Jon Anderson.....	(617)	292-5630
- Christine Kirby.....	(617)	292-5630
Regional Compliance and Enforcement Staff		
Northeast/MET Boston		
- John Macauley.....	(617)	935-2160
Southeast - Dave Madden.....	(508)	946-2770
Central - Gregg Levins.....	(508)	792-7693
Western -	(413)	784-1100
Division of Solid Waste (DSW).....	(617)	556-1030
Division of Hazardous Waste (DHW)		
Waste Site Cleanup.....	(617)	292-5851
DEPARTMENT OF PUBLIC HEALTH (DPH)		
- Howard Wensley.....	(617)	727-2660
DEPARTMENT OF LABOR AND INDUSTRIES (DLI)		
Division of Occupational Hygiene (DOH)..	(617)	969-7177
- Ernie Kelly - regulations		
- Julie Jones - AHERA & reimbursements		
Division of Industrial Safety (DIS)		
- Dick Walsh - enforcement..	(413)	443-0513
- licensing/certification...	(617)	727-1933
EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE		
Division of Capital Planning and Operations (DCPO)		
- Bob Barry - gen. info.....	(617)	727-4030
- Stephen Abbott -		
contractor certification..	(617)	727-9320

LOCAL

BOARDS OF HEALTH		
BUILDING DEPARTMENTS		
FIRE DEPARTMENTS		
BOSTON OFFICE OF ENVIRONMENT		
Division of Health and Hospitals		
- John Shea.....	(617)	534-5965
CENTER FOR ENVIRONMENTAL MANAGEMENT, DIV. OF EDUCATION & TRAINING		
Tufts University, Medford		
- asb. info. & training.....	(617)	381-3531

ASBESTOS REGULATORS

FEDERAL

OSHA	regulates worker protection standards and exposures <u>Regulations:</u> 29 CFR Parts 1910 & 1926
DOT	regulates transportation of asbestos under title 49, section 173.1090
EPA	regulates asbestos in schools under The Asbestos Hazard Emergency Response Act (AHERA) of 1986 promulgated under the Toxic Substances Control Act (TSCA); responsible for the Asbestos School Hazard Abatement Act (ASHAA) loan program for removal of asbestos in schools; coordinates state-delegated National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Program <u>Regulations:</u> 40 CFR Part 763 (AHERA), 40 CFR Part 61 Subpart M (NESHAPS)

STATE

DEP	DAQC enforces NESHAPS standards; requires notification and strict work practices for asbestos removal, storage, transport, and handling; inspects demolition/renovation and manufacturing operations; <u>Regulations:</u> 310 CMR 4.00 (notification fees), 7.00, 7.09(5), 7.15
	DSW regulates storage, handling, and landfilling of asbestos and asbestos-containing material; <u>Regulations:</u> 310 CMR 18.00 (transfer stations), 19.00
	DHW regulates hazardous material clean-up; material must be reported if released to the ambient air; friable asbestos is a hazardous material if not properly contained.
DPH	Residential repair or removal of asbestos must be done in accordance with the State Sanitary Code. Notice of plans for abatement and removal must be submitted to the Local Board of Health. <u>Regulations:</u> 105 CMR 410.353 (A)-(G) (Sanitary Code) 105 CMR 670 (RTK)
DLI	DLI regulates worker protection in state, county, and municipal government buildings. Asbestos abatement contractors, workers, and consultants must be licensed or certified by the Department of Labor and Industries. The Division of Occupational Hygiene is the governor's designee to review abatement plans of schools required by AHERA and will survey state, county, and municipal buildings for asbestos. RTK requires training, labelling, and record keeping. <u>Regulations:</u> 453 CMR 6.00, 454 CMR 21.00 (RTK)
DCPO	DCPO has contract standards for asbestos removal and repair in state-owned buildings.

LOCAL

Local Boards of Health through delegation of the State Sanitary Code and authority from DAQC and local ordinances, Local Boards of Health regulate residential asbestos conditions, outdoor dust pollution, indoor air conditions, and approve disposal of asbestos in local landfills.

Copies of State Regulations and Statutes may be purchased at the State House Bookstores: State House, Room 116, Boston, MA 02133. Telephone: (617) 727-2834. State House West, 21 Elm Street, Springfield, MA 01103. Telephone: (413) 784-1376.

COMMON ASBESTOS INQUIRIES

1. WHAT IS ASBESTOS? IS IT HAZARDOUS TO YOUR HEALTH?

Asbestos is a naturally occurring fibrous mineral and may consist of any one of a number of silicates. Asbestos is used in a variety of products because of its physical properties which make it resistant to heat, fire, and many caustic chemicals. Asbestos has been used extensively as fireproofing, an insulating agent, and for decorative purposes among many other uses.

The physical properties that give asbestos its resistance to heat and decay are linked with several adverse human effects. Asbestos tends to break into a dust of microscopic fibers. Because of their size and shape, these tiny fibers can remain suspended in the air for long periods of time and can easily penetrate bodily tissue when inhaled. Because of their durability, these fibers can remain in the body for many years.

Asbestos is known to cause asbestosis and various forms of cancer. Asbestosis is a chronic disease of the lungs which makes breathing progressively more difficult, and can lead to death. Cancer can result from breathing asbestos fibers where Lung cancer is the most frequent, and mesothelioma, an incurable cancer of the chest and abdominal membranes, almost never occurs without exposure to asbestos. Asbestos related diseases have a long latency period, they do not show up until 20 to 40 years after exposure and with each exposure the likelihood of developing an asbestos-related disease increases.

2. DOES ASBESTOS HAVE TO BE REMOVED?

If asbestos is in good condition and it does not pose a health hazard, no laws or regulations require that it be removed. However, building owners are required to keep asbestos in good repair to prevent releases of visible or particulate asbestos emissions under state and federal regulations. If a demolition/renovation activity could cause damage to asbestos-containing material, then it is required that the asbestos be removed prior to the activity.

3. HOW DO I KNOW IF MY BUILDING CONTAINS ASBESTOS? HOW DO I CHOOSE A CONTRACTOR?

Hire a Department of Labor and Industries (DLI) licensed asbestos professional to determine if asbestos is present and whether removal/repair is necessary. If the building is a state-owned facility, contact the Division of Capital Planning and Operations (DCPO) and the Division of Occupational Hygiene (DOH). Call DLI for a list of licensed asbestos abatement contractors and

consultants. Only state-licensed and state-certified (under DLI's regulation 453 CMR 6.00) asbestos abatement contractors and workers are authorized to perform any asbestos-related work in Massachusetts.

4. ARE THERE ANY LABS THAT TEST MATERIAL TO DETERMINE IF THE MATERIAL CONTAINS ASBESTOS?

There are many private testing labs that will perform asbestos bulk sample analysis to determine whether or not a material contains asbestos. Contact the Department of Labor and Industries (DLI) for a list of accredited labs. The Division of Occupational Hygiene (DOH) will test material from municipal and state owned buildings only.

Before any testing is done, a sample must be collected utilizing proper work practices to minimize disturbance of any asbestos-containing material and to prevent the release of asbestos emissions to the inside and outside environments. Private contractors and consultants must receive licensing and certification to do this.

5. ARE THERE ANY STATE AGENCIES THAT TEST THE AIR FOR ASBESTOS?

The DOH will monitor for asbestos in municipal or state owned buildings only and the Division of Industrial Safety (DIS) will inspect all work places upon request if the situation warrants an investigation. For non-municipal and non-state owned buildings hire a licensed asbestos-abatement consultant, hygienist, or testing lab. Call DLI for a list.

6. SHOULD I REMOVE ASBESTOS MYSELF?

It is not recommended. However, for all asbestos demolition/renovation operations and removal jobs, the appropriate regional Department of Environmental Protection (DEP) office must be notified of any asbestos-related activity and extensive work practices must be followed. In addition to DEP requirements, the DLI requires that any entity or individual engaged in an asbestos-related business be licensed and certified.

**7. DOES ANYONE HAVE TO BE NOTIFIED OF ASBESTOS REMOVAL?
ARE THERE ANY NOTIFICATION FEES?**

Notification of asbestos demolition, renovation, storage, and disposal must be submitted to the appropriate regional DEP office 20 days prior to any action. Additionally, under DEP regulations, any demolition/renovation project requires a 20-day notification whether it involved asbestos or not.

In order to properly notify DEP of asbestos removal, you must fill out the appropriate asbestos notification form:

BWP AQ 04 Asbestos Removal Notification (\$50 notification fee for jobs other than owner-occupied residences of four or fewer units)

DLI requires notification 10 days prior to any abatement job as well as the Environmental Protection Agency, if applicable and if de minimus notification limits are met. Local Boards of Health also require notification for all residential asbestos removal projects.

8. DO I NEED SPECIAL EQUIPMENT TO REMOVE ASBESTOS?

Because asbestos emissions pose such a serious health threat, precautions must be taken during removal and special equipment must be used for protection of yourself and the public health. Under DLI and the DEP regulations, specific respiratory and protective clothing requirements must be met. In addition to personal protection equipment, special equipment must be utilized to perform asbestos removal/abatement. Consult the Department of Labor and Industries' and the Department of Environmental Protection's (DEP) regulations for more information.

9. HOW DO I DISPOSE OF ASBESTOS-CONTAINING MATERIAL SUCH AS SHINGLES, SIDING, AND ASBESTOS CEMENT PRODUCTS?

Asbestos-containing material such as shingles, siding, and asbestos cement products which have the potential to cause asbestos emissions must be properly wetted, containerized, and labelled during removal and disposal. Such materials are considered a special waste and must be disposed in an approved landfill that accepts asbestos-containing waste material. All regulatory notification and work practice requirements apply to these materials.

10. IS ASBESTOS A HAZARDOUS WASTE OR A SOLID WASTE?

Asbestos is classified as a "special waste" under the DEP Division of Solid Waste regulations. This means that asbestos requires special handling and can only be disposed of in landfills that have been approved to accept asbestos-containing waste materials. Asbestos is not classified as a "hazardous waste" if properly contained. Asbestos is a hazardous material. If there is a release or threat of release of 1 lb. or more of asbestos the Department must be notified.

11. WHAT SPECIAL HANDLING IS REQUIRED FOR DISPOSAL OF ASBESTOS?

Before asbestos can be disposed of, it must be wetted and sealed in leak-tight, properly labelled containers (i.e. sealed in drums or "double-bagged" by placing the asbestos in a plastic bag (6 mil) which is then placed in another plastic bag (6 mil)). Contaminated clothing and equipment must also be handled this way.

12. WHERE CAN ASBESTOS BE DISPOSED?

Asbestos waste that is properly packaged can be disposed of in Massachusetts landfills that are specifically approved to accept asbestos-containing waste materials. Approval to accept asbestos-containing waste materials must be granted by the local Board of Health in the town in which the landfill is located.

13. WHERE DO I FIND A DISPOSAL FACILITY?

Contact your local Board of Health and ask if there is a local landfill that is approved to accept asbestos. The other option is to find a commercial landfill that accepts asbestos. At present there are two such landfills in Massachusetts (Partyka Resource Management and Browning Ferris Industries, both in Chicopee). Before taking asbestos to a commercial landfill, contact the facility to determine if, when, and under what conditions the facility will accept asbestos. Licensed asbestos removal companies can be hired to remove asbestos and take it to an approved disposal facility. Contact the Department of Labor and Industries (DLI) for a list of licensed asbestos removal companies. Some out of state landfills accept asbestos as well. Asbestos may not be sent to incinerators or transfer stations.

14. DO I NEED A WASTE SHIPMENT RECORD FOR ASBESTOS?

The revised National Emission Standards for Hazardous Air Pollutants (NESHAP) of 1990 for asbestos requires that all asbestos transport be documented by a waste shipment record (WSR). The WSR must be signed by the asbestos waste generator, transporter, and final disposal site operator. The final disposal operator must send a copy of the WSR back to the asbestos waste generator within 30 days. If the asbestos waste generator does not receive the WSR within 45 days a report must be filed with the Department of Environmental Protection (DEP). The Federal Department of Transportation (DOT) requires that transporters carry identification papers for all quantities of asbestos greater than 1 (one) pound. The state police enforces this requirement.

15. CAN ASBESTOS GO TO AN INCINERATOR?

No.

16. WHOM DO I NOTIFY IF I SUSPECT ILLEGAL ASBESTOS REMOVAL/DISPOSAL/PUMPING?

Contact the regional DEP office, DLI, and your Local Board of Health.

17. DO I HAVE TO TRAIN OR CERTIFY MY EMPLOYEES? WHO ISSUES LICENSES/CERTIFICATIONS?

Pursuant to 453 CMR 6.00, DLI requires the licensing and certification of all asbestos abatement contractors, supervisors, workers, consultants, laboratories, and "asbestos associated workers". Consult DLI regarding the training requirements.

18. IS THERE ANY FUNDING/GRANTS FOR ASBESTOS REMOVAL?

Funds available for asbestos removal include those administered under the control of the Division of Capital Planning and Operations (DCPO) for municipal and state owned buildings only and under the Environmental Protection Agency (EPA) for schools subject to the Asbestos Hazard Emergency Response Act (AHERA). Additionally, under Massachusetts chapter 614 Reimbursement Program for Asbestos Abatement, funds are available for asbestos removal jobs done in private and public schools. The chapter 614 program is administered by DOH and the Department of Education. Contact EPA or DOH for more information.

Agency Name and Address: _____

EOCD Inconclusive Inspection Checklist

Name of Family	Tenant ID No.		
Inspector	Date of Inspection		
Address & Unit #	City	County	State/Zip
Name of Owner or Agent	Phone No.	Address of Owner or Agent	

Dear Owner/Agent:

Date _____

The above unit inspection is INCONCLUSIVE for the following reason:

VACANT: The utilities were not on at the time of inspection, in lieu of this your signature below will serve to attest to the good working order of electrical and cooking facilities. An on-site reinspection will be performed within 30 days of the lease start date. If the utilities fail inspection at that time you will be required to correct by the date specified on the notification. Failure to correct may result in rent suspension and/or contract termination. This signed form must be returned by _____ (date).

ADEQUACY OF HEAT: If the adequacy of the heating facilities cannot be confirmed at time of inspection, your signature below will serve to attest to the adequacy of heat in the unit. An on-site reinspection may be performed between September 15 and June 15 inclusive, or upon tenant request. If the unit fails to meet the temperature requirement upon reinspection you will be required to correct within 24 hours of notification. Failure to correct within 24 hours may result in rent suspension and/or contract termination. This signed form must be returned by _____ (date).

TENANT SUPPLIED APPLIANCE(S): If the tenant is required, under a lease obligation, to provide the refrigerator/stove (circle one) an on-site reinspection will be performed within 30 days of the lease start date. If the appliance(s) are not present and in good working order upon reinspection you will be required to correct within 5 days of notification. Failure to correct may result in rent suspension and/or contract termination.

SUBJECT TO APPROVAL: You are required to provide the following documentation no later than the date indicated.

A current Certificate of Fitness from the local Board of Health. Prior to lease up, a copy of the Certificate of Fitness is requested. Only where cities or towns will not arrange for code inspections can this requirement be waived. _____ (date).

Certification from a licensed Heating/Plumbing Contractor, the local Utility Company, or the local Plumbing Inspector regarding the safe operating condition of the heating system and/or all heating appliances. _____ (date).

Approval from the local Building/ Plumbing/ Electrical/ Fire/ Public Health Inspector regarding _____ (date)

A Letter of Compliance (LOC) from a licensed Lead Paint Inspector _____ (date).

This unit fails for defective paint. The paint may contain lead. You must either verify that the surface is lead safe with a copy of the original lead inspection report or a currently dated Lead Determination from a licensed Lead Paint Inspector OR a currently dated Lead Determination with Post Abatement follow-up from a licensed Lead Inspector _____ (date).

An updated Elevator Inspection Certificate _____ (date)

Certification from a licensed Elevator Maintenance Company _____ (date)

A current Receipt from a licensed Extermination Company _____ (date)

Failure to provide the above required documentation will result in rent suspension and/or contract termination.

Owner/Agent Signature

Inspector Signature

FACTORS WHICH CONTRIBUTE TO MARGINAL UNIT CONDITIONS

Name of Family	Phone No.	Tenant I.D. No.		
Inspector	Date of Inspection			
Unit Grade:				
Address and Unit #	City	County	State	Zip
Name of Owner or Agent	Phone No.	Address of Owner or Agent:		

Date _____

Dear Owner/Agent:

Repeated and regular occurrence of non-compliance in the following areas may be due to lack of an ongoing maintenance program, poor quality of repairs or the impact of neighborhood conditions. In order to assure continued compliance with HUD's Housing Quality Standards and EOCD's Inspection Requirements. The above mentioned unit will be subject to at least 2 additional inspections no more than 3 months apart. If the subsequent inspections reveal continued material non-compliance, the unit will be terminated from the program.

EXTERIOR AND COMMON AREAS

- Dirty, rundown, poorly maintained exterior, common areas, or basement. Presence of garbage, litter, debris, trash, abandoned vehicles, appliances, construction debris, foul odor.

Comments: _____

- Exterior - constant reoccurrence of chipping and peeling paint or siding repairs.

Comments: _____

- Common halls need paint, holes in walls or ceilings, water damage, unkeyed plaster.

Comments: _____

- Poorly maintained common area lighting.

Comments: _____

- Evidence of public loitering and/or vandalism in/around building. Tenant may provide documentation regarding neighborhood break-ins, drug activity, broken windows, etc.

Comments: _____

- Abandoned dwellings/hazardous vacant lots adjacent to building.

Comments: _____

- Rotting or damaged porches, decks, stairs, or rails in need of constant repair.

Comments: _____

- Ongoing evidence of chronic infestation of rodents/mice/insects.

Comments: _____

- Other chronic exterior or common area conditions.

Comments: _____

APPLIANCES AND SERVICES

- Heating system maintenance/cleaning.

Comments: _____

- Minimal electrical service for Family's needs. Recommend additional outlets.

Comments: _____

APPLIANCES AND SERVICES (continued)

- Recommend update kitchen/bath facilities: stove/fridge/sink/countertops.

Comments: _____

- Other chronic electrical, plumbing, or heating conditions.

Comments: _____

GENERAL INTERIOR CONDITION

- Unit in need of paint, wallpaper peeling, holes, unkeyed plaster, water damage to walls and ceilings, loose and missing ceiling tiles.

Comments: _____

- Poor floor condition; defective paint, worn and dirty carpeting or linoleum, splintering hardwood floors.

Comments: _____

- Broken or missing cabinets, drawers, or closet doors.

Comments: _____

- Security: doorjamb and lock in poor condition: cracked or damaged. Lock has been relocated many times. Additional security/locks recommended.

Comments: _____

- Windows in poor condition; in constant need of repair. Loose or missing putty, rotting frames, poorly weatherized, broken sashcords, difficult to open or close. Recommend additional screens or storm windows.

Comments: _____

- Fire exit marginally adequate or inappropriate for family.

Comments: _____

- Other chronic general interior conditions.

Comments: _____

- Outstanding documented health or building code violations.

Comments: _____

cc Tenant 1st Marginal Inspection Results _____
EOCD

Date

2nd Marginal Inspection Results _____

Date

ATTACHMENT X

Unit Grading Criteria

A Unit

- Unit is in excellent condition, newly constructed or recently totally rehabbed. Quality workmanship and materials used.
- Appliances are new and of good quality.
- Has numerous extras which add to the desirability of the unit such as:
 - o parking
 - o extra bathrooms
 - o enclosed patio/deck
 - o large rooms
 - o washer/dryer hook-up
 - o security personnel/devices
- Evidence of on-going maintenance of unit/building by landlord.
- No evidence of site and neighborhood conditions which would cause the unit or tenant to be unsafe.

B Unit

- Unit is in good condition. Appliances and other unit features are modern.
- Recent renovation including common areas/interior/exterior. Quality of material - average. Doesn't substantially increase the overall value of the unit/building.
- Overall condition or unit/building is above average.
- Has at least 1 extra feature that adds to its desirability (porch, yard, security system, near park/recreational area, extra large rooms).
- Would otherwise be an A unit except for quality of renovation work, and lack of evidence of aggressive preventive maintenance efforts on the part of the landlord
- Some site and neighborhood problems exist but do not pose an immediate or imminent risk to the tenant.

C Unit

- Unit is in average condition but with normal occupancy conditions will result in 2 or more fail items in the next year.
- Appliances and unit features are dated but functional.
- No extras that enhance the overall desirability of the unit, i.e. porch, yard, security system.
- Unit has adequate closet and storage space and room sizes.
- Maintenance efforts appear to be on an as needed basis. No evidence of preventive maintenance.
- Site and neighborhood conditions are present but do not directly impact on the unit/building or tenant because of safety measures taken by the property owner.
- Unit is otherwise a D unit but because it is handicapped accessible/equipped (including first floor units) it is a desirable unit. Landlord can make necessary repairs to insure tenant's health and safety. (Units that fall into this category are subject to additional inspections throughout the course of the program participant's tenancy. Should at any time as a result of these inspection, there be evidence that the tenant's health and safety is in jeopardy, the RNP will take immediate steps to terminate the HAP contract with the landlord and provide the tenant with 120 days to secure a new unit.)

D Unit

- Unit is in unsatisfactory condition. The unit is in need of renovation (new paint, updating appliances, bathroom/kitchen).
- Little on-going maintenance effort by landlord. Clear neglect of unit/building. Evidence that property will soon have major structural, electrical, maintenance problems.
- Site and neighborhood conditions present a clear risk to the tenant but attempts have been made by landlord to correct conditions on an on-going basis.

E Unit

- Unit is in poor condition. Building/unit is run-down and would require major renovation to meet minimal HQS/EOCD standards.

- No maintenance efforts by landlord.
- Major appliances, heating systems, windows, plumbing in need of repair.
- Site and neighborhood condition are such that any efforts on the part of landlord or tenant could not or will not insure overall safety of unit and/or tenant.

Agency Name and Address: _____

**TENANT RELATED FACTORS WHICH CONTRIBUTE TO MARGINAL MAINTENANCE
AND SAFETY CONCERNS**

Name of Family		Tenant ID No.	
Inspector		Date of Inspection	
Address & Unit #	City	County	State/Zip
Name of Owner or Agent	Phone No.	Address of Owner or Agent	

Dear Tenant:

Date _____

Repeated and regular occurrence of non-compliance in the following areas may be due to improper care of your apartment which could result in unsafe or unsanitary living conditions. You have a lease obligation to improve these conditions. Your failure to do so may result in eviction by the owner. You may be subject to additional inspections as a follow-up to this notice to assure continued compliance with HQS and EOCD Inspection Requirements.

- Inappropriate use of stove/oven or other devices for home heating purposes.
- Overloading of electrical outlets, improper placement of extension cords.
- Poor care and maintenance of pets.
- Blocking fire exits.
- Failure to maintain smoke detectors.
- Failure to maintain bathroom vent/fan.
- Grease and grime build-up creating a fire/health/safety risk.
- Storage of garbage and/or food items presents a health/safety risk in unit/building.
- Tenant possessions make it difficult to complete inspection, unable to see walls/outlets/windows/plumbing.
- Other: _____

Inspector Signature

: Owner

ATTACHMENT XII

OWNER COPY

Owner/Management Agent: _____

Tenant Name: _____

Address: _____

The above-named tenant has received a copy of the attached Tenant Related Factors Which Contribute To Marginal Maintenance and Safety Concerns. Please be advised the above address may be subject to additional agency inspections.

To assure that tenants are not abusing the property or endangering other tenants _____ recommends

Agency

that you, the owner, also conduct additional inspections. This will aid in the prevention of costly repairs and future damage claims. It is not uncommon for a unit to fail an inspection due to the impact the tenant has had on the unit, however it is the property owner who must ultimately correct any fail items documented on an inspection report regardless of fault.

Attachment

TENANT COPY

Tenant Name _____

Address _____

The attached Tenant Related Factors Which Contribute To Marginal Maintenance and Safety Concerns indicates specific tenant related issues which indicate improper care of your apartment which could result in unsafe or unsanitary living conditions.

You have a lease obligation to improve these conditions and to maintain your apartment in a safe and sanitary condition. Your failure to do so could result in eviction by the owner. You may also potentially face losing your Section 8 subsidy because of future damage claims against you.

All apartments on the Section 8 program must meet an acceptable standard of quality. You may be subject to additional inspections as a follow-up to this notice and to insure that your apartment does not fall out of compliance.

